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Of Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

TOBY SAND,

Plaintiff,

v.

MICHAEL ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:10-CV-06006-KI

ORDER OF REMAND AND
JUDGMENT

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall remand this case to

an Administrative Law Judge (ALJ) to hold a *de novo* hearing and Plaintiff may raise any issue.

The ALJ will: (1) evaluate the lay witness statements of record of Gary Cornelius, Denise Kelly, and Sheila Lisic; (2) reevaluate Plaintiff's mental impairments and perform a new listings analysis; and (3) complete the sequential evaluation process.

Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and attorney fees under 28 U.S.C. § 2412(d).

JUDGMENT is entered for Plaintiff, and this case is closed.

DATED this 15 day of Dec 2010.


UNITED STATES DISTRICT JUDGE

Presented by:

s/ Lisa Goldoftas
LISA GOLDOFTAS
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